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Assistance in mine action

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Khalid Mohammed Osman **Ali** (Sudan)

I. Introduction

1. At its 2nd plenary meeting, on 18 September 2009, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fourth session the item entitled "Assistance in mine action" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 19th and 20th meetings, on 29 and 30 October 2009 (see A/C.4/64/SR.19 and 20). The Committee held a general debate on the item at the same meetings, and took action on the item at its 20th meeting.

3. For its consideration of the item, the Committee had before it the report of the Secretary-General (A/64/287).

4. At the 19th meeting, on 29 October, the Assistant Secretary-General for Rule of Law and Security Institutions in the Department of Peacekeeping Operations made an introductory statement (see A/C.4/64/SR.19).

II. Consideration of draft resolution A/C.4/64/L.9

5. At its 20th meeting, on 30 October, the Committee had before it a draft resolution entitled "Assistance in mine action" (A/C.4/64/L.9), submitted by Albania, Andorra, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Monaco, Montenegro, the Netherlands, New Zealand, Peru, the Philippines, Poland, Portugal, the Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain,

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Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, subsequently joined by El Salvador, Eritrea, Mali and Ukraine.

6. At the same meeting, the Chairman stated that he had been informed by the Secretariat that the draft resolution had no programme budget implications.

7. Also at its 20th meeting, the Committee adopted draft resolution A/C.4/64/L.9 without a vote (see para. 8).

III. Recommendation of the Special Political and Decolonization Committee (Fourth Committee)

8. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Assistance in mine action

The General Assembly,

Recalling its resolution 62/99 of 17 December 2007 and all its previous resolutions on assistance in mine clearance and on assistance in mine action, all adopted without a vote,

Recalling also all relevant treaties and conventions[1] and their review processes,

Noting with appreciation the extent to which the International Day for Mine Awareness and Assistance in Mine Action has been commemorated worldwide,

Reaffirming its deep concern at the tremendous humanitarian and development problems caused by the presence of mines and explosive remnants of war,[2] which have serious and lasting social and economic consequences for the populations of countries affected by them,

Bearing in mind the serious threat that mines and explosive remnants of war pose to the safety, health and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping, rehabilitation and mine-clearance programmes and operations,

Deeply alarmed by the number of mines that continue to be laid each year as well as the presence of a decreasing but still very large number of, and area of square kilometres infested by, mines and explosive remnants of war as a result of armed conflicts, and therefore remaining convinced of the necessity and urgency of strengthening mine-action efforts by the international community with a view to eliminating the threat of landmines and explosive remnants of war to civilians as soon as possible,

Recognizing that, in addition to the primary role of States, the United Nations has a significant role to play in the field of assistance in mine action through the

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[1] These include the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, 1997; the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, as amended in 1996 (Protocol II to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects); the Protocol on Explosive Remnants of War, 2003 (Protocol V to the 1980 Convention); the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977; and the Convention on the Rights of Persons with Disabilities, 2006.

[2] As defined by Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

United Nations Mine Action Team,[3] including the United Nations Mine Action Service, and considering mine action to be an important and integrated component of United Nations humanitarian and development activities, as well as noting the integration of mine action in numerous United Nations peacekeeping operations,

Recognizing also the valuable mine-action efforts of national and international mine-action practitioners, including United Nations personnel and peacekeepers, enabling local communities to resume normal lives and reclaim their livelihoods by regaining access to previously contaminated lands,

Stressing the pressing need to urge non-State actors to halt immediately and unconditionally new deployments of mines and other associated explosive devices,

1. *Takes note* of the report of the Secretary-General;[4]

2. *Calls for*, in particular, the continuation of the efforts of States, with the assistance of the United Nations and relevant organizations involved in mine action, as appropriate, to foster the establishment and development of national mine-action capacities in countries in which mines and explosive remnants of war constitute a serious threat to the safety, health and lives of the local civilian population or an impediment to social and economic development efforts at the national and local levels;

3. *Urges* all States, in particular those that have the capacity to do so, as well as the United Nations system and other relevant organizations and institutions involved in mine action, to support mine-affected States and territories, as appropriate, by providing:

(a) Assistance to countries affected by mines and explosive remnants of war for the establishment and development of national mine-action capacities, including, where appropriate, in the fulfilment of the relevant international obligations of those countries;

(b) Support for national programmes, where appropriate, in cooperation with the relevant bodies of the United Nations system and relevant regional, governmental and non-governmental organizations, to reduce the risks posed by landmines and explosive remnants of war, taking into consideration the different needs of women, girls, boys and men;

(c) Reliable, predictable and timely contributions for mine-action activities, including through national mine-action efforts and mine-action programmes of non-governmental organizations, including those relating to victim assistance and mine risk education, especially at the local level, as well as through relevant national, regional and global trust funds, including the Voluntary Trust Fund for Assistance in Mine Action;

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[3] Consisting of the Department of Peacekeeping Operations, United Nations Mine Action Service, Office for Disarmament Affairs, United Nations Development Programme, United Nations Children's Fund, United Nations Office for Project Services, Food and Agriculture Organization of the United Nations, Office for the Coordination of Humanitarian Affairs, Office of the Special Adviser on Gender Issues and Advancement of Women, Office of the United Nations High Commissioner for Human Rights, Office of the United Nations High Commissioner for Refugees, World Food Programme, World Health Organization and World Bank.

[4] A/64/287.

(d) Necessary information and technical, financial and material assistance to locate, remove, destroy and otherwise render ineffective minefields, mines, booby traps, other devices and explosive remnants of war, in accordance with international law, as soon as possible;

(e) Technological assistance (i) to countries affected by mines and explosive remnants of war; and (ii) to promote user-oriented scientific research on and development of mine-action techniques and technology that are effective, sustainable, appropriate and environmentally sound;

4. *Encourages* efforts to conduct all mine-action activities in accordance with the International Mine Action Standards (IMAS) or IMAS-compliant national standards, and emphasizes the importance of using an information management system, such as the Information Management System for Mine Action, to help facilitate mine-action activities;

5. *Urges* all mine-affected States, pursuant to applicable international law, to identify all areas, as appropriate, under their jurisdiction or control containing mines and other explosive remnants of war in the most efficient manner possible and to employ land release techniques, including non-technical survey, technical survey and clearance when appropriate;

6. *Encourages* mine-affected States, with support from relevant development partners as appropriate, to proactively mainstream mine action and victim assistance requirements into development plans and processes to ensure that development priorities include mine action and that mine action is predictably funded;

7. *Encourages* all relevant multilateral, regional and national programmes and bodies to include activities related to mine action, including clearance, in their humanitarian, rehabilitation, reconstruction and development assistance activities, where appropriate, bearing in mind the need to ensure national and local ownership, sustainability and capacity-building, as well as to include a gender and age-appropriate perspective in all aspects of such activities;

8. *Encourages* Member States, as appropriate, and relevant organizations involved in mine action to continue efforts to ensure that mine-action programmes are gender- and age-sensitive, so that women, girls, boys and men can benefit equally from them, and encourages the participation of all stakeholders in the programming of mine action;

9. *Stresses* the importance of cooperation and coordination in mine action, and emphasizes the primary responsibility of national authorities in that regard, also stresses the supporting role of the United Nations and other relevant organizations in that regard, and underlines the need for a comprehensive and independent evaluation of the scope, organization, effectiveness and approach of the work of the United Nations in mine action;

10. *Recognizes* the importance of explicitly incorporating references to mine action, when appropriate, in ceasefire and peace agreements in light of the potential that mine action can have as a peace and confidence-building measure in post-conflict situations among parties concerned;

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution and on

follow-up to previous resolutions on assistance in mine clearance and on assistance in mine action, including on relevant United Nations policies and activities;

12. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Assistance in mine action".